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and Panasonic Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.)*

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re: CATHODE RAY TUBE (CRT) ANTITRUST
LITIGATION

Case No. 07-5944 SC

MDL No. 1917

This Document Relates to:

*Electrograph Systems, Inc., et al. v. Technicolor SA,
et al.*, No. 13-cv-05724-SC;

*Interbond Corporation of America v. Technicolor
SA, et al.*, No. 13-cv-05727-SC;

Office Depot, Inc. v. Technicolor SA, et al., No. 13-
cv-05726-SC;

*P.C. Richard & Son Long Island Corporation, et al.
v. Technicolor SA, et al.*, No. 13-cv-05725-SC; and

*Schultze Agency Services, LLC v. Technicolor SA, et
al.*, No. 13-cv-05668-SC

**DECLARATION OF JENNIFER M.
STEWART IN SUPPORT OF CERTAIN
DIRECT ACTION PLAINTIFFS'
ADMINISTRATIVE MOTION TO
SEAL DOCUMENTS PURSUANT TO
CIVIL LOCAL RULES 7-11 AND 79-
5(d)**

[re Panasonic Documents]

1 I, Jennifer M. Stewart, declare as follows:

2 1. I am an attorney with Winston & Strawn LLP, counsel for Defendants Panasonic
3 Corporation of North America, MT Picture Display Co., Ltd., and Panasonic Corporation (f/k/a
4 Matsushita Electric Industrial Co., Ltd.) (collectively, the “Panasonic Defendants”) in these actions.
5 I am a member of the bar of the State of New York and I am admitted to practice before this Court
6 *pro hac vice*. Except for those matters stated on information and belief, about which I am informed
7 and which I believe to be true, I have personal knowledge of the facts stated herein and, if called as a
8 witness, I could and would competently testify thereto.

9 2. On June 18, 2008, the Court approved a “Stipulated Protective Order” in this matter
10 (Dkt. 306). On December 20, 2013, direct action plaintiffs Electrograph Systems, Inc. and
11 Electrograph Technologies Corp. (“Electrograph”), Interbond Corporation of America
12 (“BrandsMart”), Office Depot, Inc. (“Office Depot”), P.C. Richard & Son Long Island Corporation
13 (“P.C. Richard”), MARTA Cooperative of America, Inc. (“MARTA”), ABC Appliance, Inc. (“ABC
14 Warehouse”), and Schultze Agency Services, LLC (“Tweeter”) (collectively, “Plaintiffs”) filed an
15 Administrative Motion to Seal (Dkt. 2279), and lodged conditionally under seal, pursuant to Civil
16 Local Rules 7-11 and 79-5(d), portions of Plaintiffs’ respective First Amended Complaints (“FACs”)
17 that contain information from documents or deposition testimony that the Panasonic Defendants
18 have designated “Confidential” or “Highly Confidential.”

19 3. Pursuant to Civil Local Rule 79-5(e), I make this declaration on behalf of the
20 Panasonic Defendants to provide the basis for the Court to maintain under seal certain documents
21 and information quoted from, described, or otherwise summarized in the FACs that have been
22 designated by the Panasonic Defendants as “Confidential” or “Highly Confidential” pursuant to the
23 Stipulated Protective Order.

24 4. The documents and information quoted from, described, or otherwise summarized in
25 Paragraphs 153, 154, 156, 159, 238 and 239 of the Electrograph FAC consist of, cite to, or identify
26 confidential, nonpublic, proprietary, and highly sensitive business information about the Panasonic
27 Defendants’ business practices, pricing practices, confidential business agreements and competitive
28

1 positions. The documents describe relationships with companies that remain important to the
2 Panasonic Defendants' competitive position. I am informed and believe that this is sensitive
3 information and public disclosure of this information presents a risk of undermining the Panasonic
4 Defendants' business relationships, would cause it harm with respect to its competitors and
5 customers, and would put the Panasonic Defendants at a competitive disadvantage.

6 5. The documents and information quoted from, described, or otherwise summarized in
7 Paragraphs 138, 139, 141, 144, 223 and 224 of the BrandsMart FAC consist of, cite to, or identify
8 confidential, nonpublic, proprietary, and highly sensitive business information about the Panasonic
9 Defendants' business practices, pricing practices, confidential business agreements and competitive
10 positions. The documents describe relationships with companies that remain important to the
11 Panasonic Defendants' competitive position. I am informed and believe that this is sensitive
12 information and public disclosure of this information presents a risk of undermining the Panasonic
13 Defendants' business relationships, would cause it harm with respect to its competitors and
14 customers, and would put the Panasonic Defendants at a competitive disadvantage.

15 6. The documents and information quoted from, described, or otherwise summarized in
16 Paragraphs 140, 141, 143, 146, 226 and 227 of the Office Depot FAC consist of, cite to, or identify
17 confidential, nonpublic, proprietary, and highly sensitive business information about the Panasonic
18 Defendants' business practices, pricing practices, confidential business agreements and competitive
19 positions. The documents describe relationships with companies that remain important to the
20 Panasonic Defendants' competitive position. I am informed and believe that this is sensitive
21 information and public disclosure of this information presents a risk of undermining the Panasonic
22 Defendants' business relationships, would cause it harm with respect to its competitors and
23 customers, and would put the Panasonic Defendants at a competitive disadvantage.

24 7. The documents and information quoted from, described, or otherwise summarized in
25 Paragraphs 144, 145, 147, 150, 229 and 230 of the P.C. Richard, MARTA and ABC Warehouse
26 FAC consist of, cite to, or identify confidential, nonpublic, proprietary, and highly sensitive business
27 information about the Panasonic Defendants' business practices, pricing practices, confidential
28

1 business agreements and competitive positions. The documents describe relationships with
 2 companies that remain important to the Panasonic Defendants' competitive position. I am informed
 3 and believe that this is sensitive information and public disclosure of this information presents a risk
 4 of undermining the Panasonic Defendants' business relationships, would cause it harm with respect
 5 to its competitors and customers, and would put the Panasonic Defendants at a competitive
 6 disadvantage.

7 8. The documents and information quoted from, described, or otherwise summarized in
 8 Paragraphs 143, 144, 146, 149, 228 and 229 of the Tweeter FAC consist of, cite to, or identify
 9 confidential, nonpublic, proprietary, and highly sensitive business information about the Panasonic
 10 Defendants' business practices, pricing practices, confidential business agreements and competitive
 11 positions. The documents describe relationships with companies that remain important to the
 12 Panasonic Defendants' competitive position. I am informed and believe that this is sensitive
 13 information and public disclosure of this information presents a risk of undermining the Panasonic
 14 Defendants' business relationships, would cause it harm with respect to its competitors and
 15 customers, and would put the Panasonic Defendants at a competitive disadvantage.

16 9. In addition, the Court recently granted a motion to seal several substantially similar
 17 paragraphs in a complaint filed by Sharp Electronics Corp. and Sharp Electronics Manufacturing
 18 Corp. *See* Order Regarding Administrative Motion to Seal Portions of Plaintiffs' First Amended
 19 Complaint (Dkt. No. 2211).

20 I declare under penalty of perjury under the laws of the United States of America that the
 21 foregoing is true and correct.

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 23 DATED: December 24, 2013

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18 *Panasonic Corporation (f/k/a Matsushita Electric*
19 *Industrial Co., Ltd.)*
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